

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: **Cantor et al.**

Serial No.: 09/880,988

Conf. No.: 5954

Filed: June 13, 2001

For: **USE OF NUCLEOTIDE ANALOGS IN
THE ANALYSIS OF OLIGONUCLEOTIDE
MIXTURES AND IN HIGHLY
MULTIPLEXED NUCLEIC ACID
SEQUENCING**

Art Unit: 1634

Examiner: Chakrabarti, A. K.

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed after receipt of a first Office Action on the merits for the above-captioned application, the filing fee of \$180.00 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (24 pages) and copies of the cited documents are provided herewith, via hand delivery, in connection with the above-captioned application.

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USSN 09/880,988
CANTOR, et al.
IDS

The documents listed on the Forms PTO-1449 are in the English language with the exception of items GV, HC-HG, HI, HN-HT, IN, JL, MA, and PN. Items HE-HF, HR, and HS (German Patent Application Nos. DE 19628178, 19731479, and German Patent numbers 4431174 and 4438630) are in the German language, and are provided with English language Derwent abstracts (items LT, LV, KY, and LS respectively) describing the subject matter. Items GV, HO and IN (European Patent No. 0360676, French Patent No. 2749662 and International Patent Application WO 9507361) are in the French language, and are provided with English language Derwent abstracts (items LN, LU, and LQ respectively) describing the subject matter. Item HN (French Patent 2597260) which is in the French Language is provided with a Certified English language translation (Item KW). Items HC, HD, HG, HP and JL (German Patents DE 19617011, 19618032, 19754978, 3221681 and International Patent Application WO 9803257 respectively) which are in the German Language are provided with an English language equivalent or a Certified English language translation (Items DV, HL, KM, KY and KX respectively). Items HI, HQ, and HT (Japanese Patent Nos. JP 2215399, 4178359 and 63230086 respectively), which are in the Japanese language, are provided with English language Derwent abstracts (items LO, LP, and LM respectively) describing the subject matter. Elov et al. reference (item MA), which is in the Russian language, is supplied with a Certified English language translation, (item KV). Item PN, (article by Yoshida et al.) is in the Japanese language and contains an English language abstract. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. applications which have a common inventor.

<u>U.S.S.N.(App. no.)</u>	<u>Filing Date</u>	<u>Docket No.</u>
08/947,801	10/08/97	2001B
08/786,988	01/23/97	2001D
09/364,774	07/30/99	2001E

USSN 09/880,988
CANTOR, *et al.*
IDS

<u>U.S.S.N.(App. no.)</u>	<u>Filing Date</u>	<u>Docket No.</u>
09/371,150	08/09/99	2001F
09/429,683	10/28/99	2001G
09/297,575	05/03/99	2001US
09/678,620	10/02/00	2023B

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

* * *

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: _____

Stephanie L. Seidman
Registration No. 33,779

Dated: June 3, 2002
Attorney Docket No.: 25491-2408
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TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith are an Information Disclosure Statement, the cited references, Forms PTO-1449 (24 pages), and a check for \$180 for filing in connection with the above-identified application.

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

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Stephanie L. Seidman
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Dated: June 3, 2002

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